

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

LAURA WONDERCHECK,)
)
Plaintiff,)
)
v.)
MAXIM HEALTHCARE SERVICES,) Civil Action No. 1:19-cv-00640-LY
INC.,)
)
Defendant.)

**DEFENDANT MAXIM HEALTHCARE SERVICES, INC.'S UNOPPOSED
MOTION TO SUPPLEMENT THE SUMMARY JUDGMENT RECORD**

Defendant Maxim Healthcare Services, Inc. moves the Court to supplement the record with respect to Maxim's Motion for Summary Judgment [ECF No. 20] and Maxim's Response to Plaintiff's Motion for Partial Summary Judgment [ECF No. 23]. Maxim and Plaintiff Laura Wondercheck filed summary judgment motions on August 17, 2020. Both parties filed responses on August 31 and filed replies on September 14.

As Maxim noted in its Motion for Summary Judgment, the read and sign period for the depositions of former employees Shawn Coffin, Daniel Murphy, Thomas Gillespie, and Jawn Oilar did not expire until after the deadline to file dispositive motions. *See* Def.'s Mot. for Summ. J. 3 n.1. For this reason, Maxim did not have access to the completed certification pages or the signed errata sheets for these transcripts when Maxim filed its Motion. The read and sign period has since passed, and the parties have received the final, signed versions of the transcripts. Therefore, Maxim moves to supplement the existing summary judgment record with the Reporter's Certificate for the Oilar deposition transcript, attached hereto as Exhibit A. Maxim further moves to supplement the existing summary judgment record with the Reporter's Certificate and Changes and Signature pages for the Coffin deposition transcript, attached hereto

as Exhibit B, and the Reporter's Certification and Changes and Signature pages for the Gillespie deposition transcript, attached hereto as Exhibit C.

Dated: September 28, 2020

Respectfully submitted,

/s/ Lindsay A. Hedrick

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Attorneys for Defendant Maxim Healthcare Services, Inc.

CERTIFICATE OF CONFERENCE

Counsel for Maxim has complied with the Court's meet and confer requirement under Local Rule CV-7(i). On September 28, 2020, Maxim's counsel conferred via email with Wondercheck's counsel regarding the request to supplement the summary judgment record. That same day, Wondercheck's counsel responded that Wondercheck is not opposed to the relief sought in this Motion.

/s/ Lindsay A. Hedrick

Lindsay A. Hedrick

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2020, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send electronic notice to all counsel of record.

/s/ Lindsay A. Hedrick
Lindsay A. Hedrick